

**CLASSIFICATION APPEAL FORM
ENGINEERING, SCIENTIFIC & TECHNICAL
(P-4) UNIT**

(Effective May 22, 2001)

UNION CODE P-4 CA# _____
AGENCY CODE P-4 CA# _____
OLR CODE P-4 CA# _____

Section 1. To be fully completed by Employee and forwarded to agency appointing authority or designee.

NAME _____ **AGENCY** _____

_____ CURRENT CLASS TITLE _____ DIVISION / SECTION / SHIFT _____

DATE OF ALLEGED ASSIGNMENT TO HIGHER LEVEL DUTIES _____

SPECIFIC CLASSIFICATION REMEDY REQUESTED (Check as appropriate and attach completed duties questionnaire.)

- RECLASSIFICATION
- TEMPORARY SERVICE
- REMOVAL OF DUTIES (LIST DUTIES TO BE REMOVED ON DUTIES QUESTIONNAIRE.)

SPECIFIC TITLE OF HIGHER CLASS ALLEGED APPROPRIATE _____

_____ Signature of Employee

_____ Signature of Union Representative

_____ Date of Filing

Section 2. To be completed by appointing authority or designee and returned to employee within ten (10) days of receipt.

1. I authorize the employee to continue to perform the alleged higher level duties and hereby submit a request for:
 Reclassification Temporary Service in a Higher Class
 (Check as appropriate and attach copy of this form to request).
2. I deny that the duties performed include higher level duties.
3. The alleged higher level duties have been removed. (Confirm to employee in writing.)

The above responses shall not automatically prejudice either party's position on the proper classification as determined by the Director of Personnel and Labor Relations.

_____ Date of Response

_____ Signature of Respondent

Section 3. May be completed by employee if #2 is checked, or #3 is checked but NO ACTION TAKEN (or no response within time limits provided) and forwarded within seven (7) days of above response to the Director of Personnel and Labor Relations for Personnel Services Section action.

I appeal the above decision and request a review of the action taken.

_____ Signature of Employee

_____ Signature of Union Representative

_____ Date of Appeal

SECTION 4. To be completed by Personnel Services Division Analyst within thirty (30) days of receipt.

CHECK AS APPROPRIATE:

A. The appeal is sustained and the agency shall:

- 1. Request reclassification of the position to the class requested in the remedy if existing merit conditions permit and/or remove the duties of the higher class.
- 2. Request payment for temporary service in the higher class requested in the remedy if existing merit conditions permit (specify date through which payment is authorized and/or date higher duties must be removed.)

B. The appellant failed to present evidence necessary to support the reclassification or temporary service requested and the appeal is denied.

C. The appellant failed to present evidence that the duties have not been removed and the appeal is denied.

D. The appellant is denied due to jurisdiction or procedural bars (indicate nature of bar.)

Date of Meeting

Date of Response

Signature of Respondent

I appeal the above denial and request a review of the action taken.

Signature of Employee

Date of Appeal

Signature of Union Representative

Section 6. Panel Action. (Panel must schedule a hearing within thirty (30) days of receipt and respond within ten (10) days of close of hearing unless otherwise mutually agreed.) CHECK AS APPROPRIATE.

A. The employee failed to establish proof that the factual data presented at earlier stages of the appeal process indicated there was substantial addition of higher level duties to warrant reclassification or temporary service payment and that the decision of the Director of Personnel and Labor Relations was arbitrary and capricious. The appeal is denied.

B. The employee failed to establish proof that the factual data presented at earlier stages of the appeal process indicated the duties have not been removed and that the decision of the Director of Personnel and Labor Relations was arbitrary and capricious. The appeal is denied.

C. The appeal is sustained. The agency shall submit a request to either reclassify the position or pay for temporary service, and/or remove specified higher level duties (dependent on merit system conditions and final concurrence by Personnel and OPM.)

Pay retroactivity, if warranted, may not apply earlier than thirty (30) days prior to the date of the original filing of the appeal.

Include on next page a brief finding of facts.

Date of Hearing

Date of Response

Signature of Panel Chairperson

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Name:

Date of Response:

Brief Finding of Facts:

A large, empty rectangular box with a black border, intended for the user to provide a brief finding of facts.

